

Remarks

Reconsideration of this Application is respectfully requested.

Upon entry of the foregoing amendment, claims 1-22 and 26-31 are pending in the application, with claims 1, 6, 10, 16, 26, 29, 30, and 31 being the independent claims. Claims 1-4, 6, 10, 16, 19, 26, and 29-31 are sought to be amended. These changes are believed to introduce no new matter, and their entry is respectfully requested.

Based on the above amendment and the following remarks, Applicant respectfully requests that the Examiner reconsider all outstanding rejections and that they be withdrawn.

Rejection under 35 U.S.C. § 112

The Examiner has rejected claims 1-5, 10-15, 16-22 and 30-31 under 35 U.S.C. § 112, first paragraph, for allegedly failing to comply with the written description requirement. Without acquiescing to the propriety of the rejection, Applicant has amended claims 1, 10, 16, 30, and 31 to accommodate the rejection. Accordingly, Applicant respectfully requests that the Examiner reconsider and withdraw the rejection of claims 1-5, 10-15, 16-22 and 30-31 under 35 U.S.C. § 112, first paragraph.

Rejections under 35 U.S.C. § 103

Claims 1-5

Claims 1-5 were rejected under 35 U.S.C. § 103(a) as allegedly being obvious over U.S. Patent No. 6,292,895 to Baltzley (“Baltzley”), in view of U.S. Patent No. 5,923,754 to Angelo et al. (“Angelo”), in view of U.S. Patent No. 6,603,857 to Batten-

Carew et al. (“Batten-Carew”), and further in view of U.S. Patent Application Publication No. 2002/0016922 to Richards et al. (“Richards”). Applicant respectfully traverses this rejection.

Claim 1 recites, *inter alia*, “wherein the header includes the document key and access rules for the secured electronic file, the access rules for further protecting the document key.” Baltzley, Angelo, and Batten-Carew do not teach or suggest this feature of claim 1, nor does the Examiner rely on them to allegedly teach or suggest this feature. Instead, the Examiner relies on Richards as allegedly disclosing “encrypted header with document key and access rules (see, Fig. 4 and also 0067).” (Office Action, p.8). Richards does not supply the missing teaching.

In Richards, the “policy component 114 includes elements that define recipient’s access rights **to the data.**” (Richards, [0068]). For example, these rights include access to “read/write”, “save encoded”, “save open”, “no save”, “server keyed”, “render 1”, “render 2”, “Age 1”, “Age 2”, and “Use”. (Richards, [0068]). A detailed description of what each of these rights entails is described in the “Policy Component” box of FIG. 4. (Richards, FIG. 4, element 114’). These data access rights in Richards are different from “access rules for further **protecting the document key,**” as recited in claim 1, and instead are concerned with access rights only to data elements.

Accordingly, the combination of Baltzley, Angelo, Batten-Carew, and Richards does not teach or suggest each and every feature of claim 1, and therefore do not render the claim obvious. Claims 2-5 depend from claim 1, and are also not rendered obvious by the combination for at least the same reasons as claim 1, and further in view of their

own respective features. Applicant therefore respectfully requests the reconsideration and withdrawal of the rejection of claims 1-5 under 35 U.S.C. § 103(a).

Claims 6-9 and 26-29

Claims 6-9 and 26-29 were rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over U.S. Patent No. 6,892,306 to En-Seung et al. (“En-Seung”), in view of Richards and Batten-Carew, and further in view of U.S. Patent No. 6,851,050 to Singhal et al. (“Singhal”). Applicant respectfully traverses this rejection.

Claim 6 recites, *inter alia*, “a header portion that contains access rules for the electronic document … wherein the access rules are for further protecting the document key.” Claim 26 recites, *inter alia*, “a header portion that contains access rules for the electronic document” and “computer program code for protecting the document key using the access rules.” Claim 29 recites, *inter alia*, “a header portion that contains access rules for the electronic document” and “protecting the document key using the access rules.”

En-Seung, Batten-Carew, and Singhal do not teach or suggest these features of claims 6, 26, and 29, nor does the Examiner rely on them to allegedly teach or suggest these features. Instead, the Examiner relies on Richards as allegedly teaching these features. (Office Action, p. 12). For similar reasons as discussed above with regard to claim 1, Richards does not supply the missing teaching or suggestion.

Accordingly, the combination of En-Seung, Batten-Carew, Singhal, and Richards does not teach or suggest each and every feature of claims 6, 26, and 29, and therefore do not render the claims obvious. Claims 7-9 depend from claim 6, and claims 27 and 28

depend from claim 26, and are also not rendered obvious by the combination for at least the same reasons as claims 6 and 28, and further in view of their own respective features. Applicant therefore respectfully requests the reconsideration and withdrawal of the rejection of claims 6-9 and 26-29 under 35 U.S.C. § 103(a).

Claims 10-22, 30, and 31

Claims 10-22, 30, and 31 were rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over En-Seung in view Richards and further in view of Batten-Carew. Applicant respectfully traverses this rejection.

Claim 10 recites, *inter alia*, “a header portion that contains access rules for the electronic document” and “protecting the document key using the access rules.” Claim 16 recites, *inter alia*, “a header portion, having an encrypted document key and access rules” and “decrypting the document key using the time-based access key, subject to protection by the access rules.” Claim 30 recites, *inter alia*, “a header portion that contains access rules for the electronic document” and “protect the document key using the access rules.” Claim 31 recites, *inter alia*, “decrypt a document key in a header portion using the time-based access key, subject to protection by access rules in the header portion.”

En-Seung and Batten-Carew do not teach or suggest these features of claims 10, 16, 30, and 31, nor does the Examiner rely on them to allegedly teach or suggest these features. Instead, the Examiner relies on Richards as allegedly teaching these features. (Office Action, pp. 15 and 18). For similar reasons as discussed above with regard to claim 1, Richards does not supply the missing teaching or suggestion.

Accordingly, the combination of En-Seung, Batten-Carew, and Richards does not teach or suggest each and every feature of claims 10, 16, 30, and 31, and therefore do not render the claims obvious. Claims 11-15 depend from claim 10, and claims 17-22 depend from claim 16, and are also not rendered obvious by the combination for at least the same reasons as claims 10 and 16, and further in view of their own respective features. Applicant therefore respectfully requests the reconsideration and withdrawal of the rejection of claims 10-22, 30, and 31 under 35 U.S.C. § 103(a).

Conclusion

All of the stated grounds of objection and rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider all presently outstanding rejections and that they be withdrawn. Applicant believes that a full and complete reply has been made to the outstanding Office Action and, as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

Prompt and favorable consideration of this Amendment and Reply is respectfully requested.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Glenn J. Perry
Attorney for Applicant
Registration No. 28,458

Date: 31 March 2009

1100 New York Avenue, N.W.
Washington, D.C. 20005-3934
(202) 371-2600

937561_1.DOC